

July 26, 2018

Mr. Ford called the Meeting of the Union Township Planning Board/Board of Adjustment to order at 7:00 p.m.

Mr. Ford announced that Messrs. Mazza and Neary could vote on the minutes; however, they would have to recuse themselves prior to the potential Use Variance matter (Spatz & Sons Construction).

Members Present: Mr. Mazza, Mr. Walchuk, Mr. Nace, Mr. Eschbach, Mr. Kastrud, Mr. Stothoff, Mr. Sullivan, Mr. Fernandez, Mr. Kirkpatrick, Mr. Ford

Members Absent: Mr. Neary

Others Present: Board Atty. Mark Anderson, Engineer Robert Clerico, Planner Daniel Hauber, Geologist Eric DeRicco, Atty. Alan Lowcher, Kelley O'Such

Open Public Meetings Act Notice: I would like to have placed in the minutes that the Open Public Meeting Requirements of Law have been satisfied by our notices dated February 1, 2018, as published in the Hunterdon County Democrat and January 31, 2018, as published in the Courier News. A copy of the Notice has also been posted on the Township Website, the Bulletin Board in the Municipal Building and a copy has been filed with the Municipal Clerk.

Approval of Minutes: Mr. Eschbach made a motion to approve the minutes of the June 28, 2018 regular meeting. The motion was seconded by Mr. Mazza.

Vote: Ayes: Mr. Mazza, Mr. Eschbach, Mr. Walchuk, Mr. Nace, Mr. Kirkpatrick, Mr. Ford

Abstain: Mr. Kastrud, Mr. Stothoff, Mr. Sullivan, Mr. Fernandez

Mr. Kirkpatrick made a motion to approve the minutes of the June 28, 2018 Executive Session. Mr. Eschbach seconded the motion.

Vote: Ayes: Mr. Kirkpatrick, Mr. Eschbach, Mr. Mazza, Mr. Walchuk, Mr. Nace, Mr. Ford

Abstain: Mr. Kastrud, Mr. Stothoff, Mr. Sullivan, Mr. Fernandez

Issue of Completeness/Public Hearing Powerco Partners, LTD: Block 23, Lot 2.02, Route 173 West: Use Variance & Preliminary & Final Site Plan: Atty. Anderson announced Committeeman Mazza would be recusing himself because the application is a Board of Adjustment matter. Mr. Ford said the Board would be considering the issue of completeness initially. Atty. Alan Lowcher was present on behalf of applicant. Mr. Lowcher said applicant had reviewed Mr. Clerico's letter dated July 24, 2018. He asked that the application be deemed complete based upon Mr. Clerico's letter indicating the Board could grant temporary waivers for Checklist Item #'s 40, 56 & 57 and consider the documentation provided under Checklist Item #'s 59 and 62 to be acceptable.

Mr. Ford asked Mr. DeRicco to comment on the Carbonate Area District Phase II Checklist. Mr. DeRicco said everything is outlined in his report dated June 29, 2018. Kelley O'Such, applicant's Engineer and Planner said test borings would be performed and subsequently a report would be issued.

The Board discussed only deeming the Use Variance Application complete and Hearing the application on August 23, 2018. Preliminary and Final Site Plan would be addressed at another meeting.

Mr. Stothoff made the motion to deem the Use Variance complete and schedule the Hearing for August 23, 2018. Mr. Nace seconded the motion.

Vote: Ayes: Mr. Stothoff, Mr. Nace, Mr. Walchuk, Mr. Eschbach, Mr. Kastrud, Mr. Sullivan, Mr. Fernandez, Mr. Kirkpatrick, Mr. Ford

Mr. Mazza returned to the meeting after the above action.

Review of Proposed Ordinance/Ordinance Amendment:

Festivals and Large Assemblies: Mr. Ford said the Township Committee requested the Board review the proposed Ordinance relating to special events. Fee based events versus private parties, regulations and requirement for permits, parking, noise, signage, lighting and exemptions were discussed. Certain events might require approval by the Board of Adjustment and others by the Township Committee. Concerns were raised about interfering in a citizen's right to have a gathering on the property. Mr. Ford opined that it could be helpful to have some guidelines. Mr. Kirkpatrick said he did not want the Township Governing Body to intervene into a resident's use of their property unless they were creating a problem for another resident.

Mr. Kirkpatrick referenced a section in the Land Use Code (E-9 Entertainment) that might address concerns about events/festivals. Mr. Stothoff thought it appropriate to recommend to the Committee that additional input would be desirable. Mr. Mazza was asked to convey Board Members comments to the Township Committee.

Driveway Ordinance Amendment: As requested by the Township Committee, the Board discussed the proposed amendment to the Driveway Ordinance regarding modification of an existing driveway. The Board agreed that use of recycled asphalt for residential driveways must be in compliance with NJDEP Regulations.

Correspondence: None

Comments from the Public/Other Discussion: None

Motion to Adjourn: Mr. Walchuk asked for a motion to adjourn. Mr. Mazza seconded the motion. (8:25 p.m.)

Vote: All Ayes, No Nays, Motion Carried

